

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Dwanye HILL

Case: 2:20-mj-30529

Assigned To : Unassigned

Case No.

Assign. Date : 12/18/2020

Description: USA V. DWAYNE HILL

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 17, 2020 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

See attached AFFIDAVIT.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: December 18, 2020

City and state: Detroit, Michigan


Complainant's signature

Brady Rees, Special Agent (ATF)

Printed name and title


Judge's signature

Hon. Kimberly G. Altman, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Special Agent Brady W. Rees, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered by law to conduct investigations and make arrests of offenses enumerated under federal law.

2. I have been an ATF Special Agent since January 2016, and I have had extensive law enforcement training, including at the Federal Law Enforcement Training Center in the Criminal Investigator Training Program and ATF Special Agent Basic Training. Prior to becoming an ATF Special Agent, I was a police officer with the City of Novi, in Michigan, for approximately three years. I also have a bachelor’s degree in Criminal Justice.

3. As an ATF Special Agent, I have authored numerous federal search warrants, federal criminal complaints, and federal arrest warrants.

4. As an ATF Special Agent, I have participated in numerous criminal investigations, including investigations involving firearms, armed drug tracking, and criminal street gangs. I am familiar with, and have experience using, a variety of investigative techniques and resources, including physical and electronic surveillance, undercover and various types of informants, and cooperating sources.

5. I have personal knowledge or have been provided by other law enforcement officers with the facts set forth herein. I have not included each and every fact known to me concerning this investigation; rather I have set forth only the facts necessary to establish probable cause that Dwayne HILL violated 18 U.S.C. § 922(g)(1), felon in possession of a firearm.

PROBABLE CAUSE

6. I reviewed a Computerized Criminal History (“CCH”) for HILL, which showed that HILL has been convicted of the following felony offenses:

- a. 2008 – 14th Circuit Court of Michigan
 - i. Felony – Controlled Substance – Del/Mfg
(Cocaine, Heroin, or Another Narcotic)
 - ii. Felony – Controlled Substance – Del/Mfg
(Cocaine, Heroin, or Another Narcotic)
- b. 2011 – 3rd Circuit Court of Michigan
 - i. Felony – Weapons – Attempt Carrying Concealed
 - ii. Felony – Controlled Substance – Del/Mfg
(Ecstasy/MDMA)

7. HILL was sentenced to a term of imprisonment of 1 to 5 years for his conviction in 2011 for Felony – Controlled Substance – Del/Mfg.

8. On December 9, 2020, ATF agents obtained a federal search warrant to search the “Flaygo Social Club,” located at 15701 Schaefer Hwy in Detroit, Michigan, which is in the Eastern District of Michigan.

9. As part of this investigation, I have reviewed known images of HILL, including, for example, the photograph of HILL on his State of Michigan driver’s license. I also have reviewed known images of the inside of the “Flaygo Social Club.” Based on my review of these known

images, I am able to identify HILL as being in the social media posts described below.

10. On December 17, 2020, at approximately 10:37 a.m., I reviewed a “live” video from the Instagram account, “wayne_rdp.” During this video, I observed HILL inside the “Flaygo Social Club.” Hill was in possession of what appeared to be a black, semi-automatic pistol, with an attached laser. Below are snapshots taken from the video:



11. On December 17, 2020, at approximately 1:11 p.m., I reviewed a “live” video from the Instagram account, “wayne_rdp.” During this video, I observed HILL inside the “Flaygo Social Club.” I observed that Hill appeared to be in possession of the same firearm I observed in the video at approximately 10:37 a.m. on the same date. Below is a snapshot taken from the video:



12. On December 17, 2020, ATF agents and Detroit police officers executed the above-referenced federal search warrant for the “Flaygo Social Club.” HILL was inside the “Flaygo Social Club” when agents and officers executed the search warrant, along with seven other individuals.

13. In the search of the “Flaygo Social Club,” agents and officers recovered several items from the location including:

- a. One Glock, Model 27, .40 caliber, semi-automatic pistol bearing serial number LFE211 (depicted below), loaded with nine rounds of .40 caliber ammunition.



- b. A bag of suspected marijuana, weighing in gross approximately one pound; and
- c. A tan Second Chance ballistic vest.

14. The Glock pistol recovered during the search has similar characteristics to the suspected firearm that I observed HILL to be holding in the above-referenced Instagram Live videos on December 17, 2020, such as the color, general shape and attached laser.

15. After receiving a *Miranda* warning, HILL agreed to speak with agents. HILL indicated the following:

- a. HILL acknowledged that he has been to prison and cannot buy a firearm at a store.
- b. HILL denied that the recovered Glock firearm belonged to him.


- c. HILL stated that he picked up the recovered Glock firearm and posed with it for the Instagram video and claimed he placed the firearm back on the countertop.
- d. HILL maintained that he did not know how the firearm ended up on the floor where it was recovered by law enforcement during the search.

16. A search in a law enforcement database of the serial number on the recovered Glock handgun, LFE211, confirmed that the serial number corresponds to a Glock, Model 27 pistol, and indicated that the firearm was last registered in the State of Michigan in 2007.

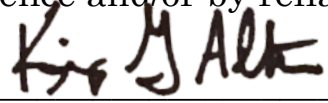
17. ATF Special Agent Jacobs, a firearms interstate nexus expert, was given an oral description of the recovered Glock pistol. Based on the verbal description of the Glock firearm, without physically examining it, Special Agent Jacobs advised me that, based on his training and experience, the firearm meets the federal definition of a firearm and that it was manufactured outside the State of Michigan and therefore traveled in interstate and/or foreign commerce.

CONCLUSION

18. Based on the above facts, there is probable cause to believe that on December 17, 2020, while in the Eastern District of Michigan, HILL, knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, possessed a Glock, Model 27, .40 caliber, semi-automatic pistol, in violation of 18 U.S.C. § 922(g)(1).


Special Agent Brady Rees
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means.


Hon. Kimberly G. Altman
United States Magistrate Judge

Dated: December 18, 2020